

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/11/14

Scherick, S.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEDRA DE LA ROSA,

Plaintiff,

-against-

42<sup>ND</sup> APPLE, LLC d/b/a APPLEBEE'S, DAVE  
& BUSTER'S OF NEW YORK, INC., and  
FC 42<sup>ND</sup> STREET ASSOCIATES, L.P.,

Defendants.

C.A. No. 13 Civ. 1036 (SAS) (SN)  
ECF Case

STIPULATION OF VOLUNTARY  
DISMISSAL WITH PREJUDICE  
PURSUANT TO F.R.C.P. 41(A)(1)(A)(II)  
AS AGAINST DEFENDANTS 42<sup>ND</sup>  
APPLE, LLC and FC 42<sup>ND</sup> STREET  
ASSOCIATES, L.P. ONLY

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their  
respective counsel that the above-captioned action is voluntarily dismissed, with prejudice, as  
against defendants 42<sup>ND</sup> APPLE, LLC and FC 42<sup>ND</sup> STREET ASSOCIATES, L.P. only,  
pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(ii).

Dated: New York, New York  
January 22, 2014

PARKER HANSKI LLC

By:

Glen Parker, Esq.  
Attorneys for plaintiff  
40 Worth Street, 10th Floor  
New York, New York 10013  
(212) 248-7400

OLSHAN FROME WOLOSKY LLP

By:

Peter M. Sartorius  
Attorneys for defendant 42nd Apple, LLC  
Park Avenue Tower  
65 East 55<sup>th</sup> Street  
New York, New York 10022  
(212) 451-2300

DUANE MORRIS LLP

By:

Michael Tiliakos  
Attorneys for defendant  
FC 42nd Street Associates, L.P.  
1540 Broadway  
New York, New York 10036-4086  
(212) 692-1045

2439529-2

2/11/14